

REMARKS/ARGUMENTS

The presently claimed invention involves a coating liquid for an intermediate layer of an electrophotographic photoconductor. The presently claimed coating liquid comprises a titanium dioxide and a polycarboxylic acid polymer in a solvent. The presently claimed coating liquid provides for an intermediate layer of an electrophotographic photoconductor which does not cause coating film flaws, exhibits superior coating properties and provides for coating stability.

None of the cited references teach or suggest the presently claimed coating liquid for an intermediate layer of an electrophotographic layer.

The rejection of Claims 1-8 under 35 U.S.C. § 103(a) over Nogami (5,561,022) is respectfully traversed.

Nogami describes a method of forming an intermediate layer of an electrophotographic element that uses a melamine resin, iodine, an aromatic carboxylic acid or aromatic carboxylic acid anhydride, a resin, a filler material that can include titanium oxide and a solvent. Nogami exemplifies non-polymeric aromatic carboxylic acid or aromatic carboxylic acid anhydride compounds and does not teach or suggest the use of a polycarboxylic acid polymer.

Applicants note that to establish a *prima facie* case of obviousness with a single reference, there must be some suggestion or motivation in the reference to modify the reference and the reference must teach or suggest all the claim limitations (M.P.E.P. § 2143). As noted above, there is no suggestion or motivation found in Nogami to modify Nogami to utilize a polycarboxylic acid polymer. In addition, Nogami does not teach or suggest the present claim limitation of a coating liquid comprising a titanium dioxide and a polycarboxylic acid polymer in a solvent. Because the reference fails to meet the criteria for

obviousness, Applicants respectfully request that the Examiner withdraw the rejection of Claims 1-8 over Nogami.

The rejection of Claims 1-8 under 35 U.S.C. § 103(a) over Kay (5,525,440) is respectfully traversed.

Kay describes a method for the manufacture of a photoelectrochemical cell. The method includes the formation of a titanium dioxide dispersion that may include a non-polymeric carboxylic acid as a solvent. Kay does not teach or suggest the use of a polycarboxylic acid polymer.

Based on the discussion above for Nogami, Applicants respectfully request that the Examiner withdraw the rejection of Claims 1-8 under 35 U.S.C. § 103(a) over Kay.

The rejection of Claims 1-8 under 35 U.S.C. § 103(a) over Potter (4,484,949) is respectfully traversed.

Potter is directed to cement compositions for use in splinting agents. Potter involves water-hardenable compositions of calcium aluminosilicate glass in a finely divided form together with a polycarboxylic acid. The composition may optionally contain titanium dioxide.

Applicants note that in order to rely on a reference, the reference must either be in the field of Applicants' endeavor or reasonably pertinent to the problem with which the invention was concerned (M.P.E.P. § 2141.01(a)).

The reference was concerned with cement compositions used to make splints from the cement composition and bandages. The present application involves coating liquids for forming an intermediate layer of an electrophotographic photoconductor. Clearly, these arts are non-analogous and Applicants contend that it is inappropriate to rely on Potter as a reference.

Potter would not have commended itself to Applicant's attention and cement formulations are a subject matter that is not relevant to the particular problem with which the Applicants are involved. Therefore, the presently claimed coating liquid is not obvious over Potter.

Applicants also note that Potter requires the use of silica, calcium oxide and alumina in order to function. While the presently claimed invention does not exclude these components, it can function without them. It would not be obvious to eliminate essential components from Potter to arrive at the composition of the presently claimed invention. Modification of Potter by removing of the essential components in Potter would render the cement composition unsatisfactory for its intended purpose. Therefore, it would not be obvious to modify Potter to arrive at the presently claimed invention (M.P.E.P. § 2143.01). Therefore, the presently claimed coating liquid is not obvious over Potter.

In light of the arguments above, Applicants respectfully request that the Examiner withdrawn the rejection of Claims 1-8 over Potter.

Based on the remarks contained herein, Applicants respectfully submit that the present application is now in condition for allowance. Favorable reconsideration is respectfully requested.

Respectfully submitted,

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